

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, May 19, 2008, the following members were present:

Greg Jergeson, Chairman
Doug Mood, Vice Chairman
Brad Molnar, Commissioner
Robert H. Raney, Commissioner
Ken Toole, Commissioner

APPEARANCE

Mike Lee, Utility Division

(171) In the matter of FCC 96-45 – Mid-Rivers Telephone Co-op – On March 14, 2008, Mid-Rivers Telephone Co-op, Inc. (Mid-Rivers) filed with the FCC a petition for waiver of the study area boundary freeze. Mid-Rivers seeks a waiver of the study area boundary freeze so that it can then include the Terry exchange in its existing study area. Mid-Rivers has requested that the PSC file with the FCC a letter in which the PSC states to not object to the granting of Mid-Rivers' petition.

Commissioner Molnar moved to approve the sending of the draft letter under Chairman Jergeson's signature to the FCC stating to not object to Mid-Rivers' petition. Commissioner Toole seconded the motion, which passed unanimously.

Commissioner Raney moved to adopt the draft reply comments of the Montana PSC to the FCC on the Universal Service reform docket subject to minor changes in editing. Commissioner Toole seconded the motion, which passed unanimously.

Commissioner Toole moved to adopt the draft Montana PSC comments to the FCC on reverse auctions. Commissioner Raney seconded the motion, which passed unanimously.

Commissioner Mood moved to adopt the draft Montana PSC comments on the identical support mechanism rule subject to minor editing. Commissioner Toole seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GREG JERGSON, Chairman

DOUG MOOD, Vice Chairman

BRAD MOLNAR, Commissioner

ROBERT H. RANEY, Commissioner

KEN TOOLE, Commissioner

ATTEST:

Judy Scheier
Assistant Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, May 20, 2008, the following members were present:

Greg Jergeson, Chairman
Doug Mood, Vice Chairman
Brad Molnar, Commissioner
Robert H. Raney, Commissioner
Ken Toole, Commissioner

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(172) In the matter of T-08.8.RI-On April 9, 2008 Badlands, Inc. dba Badlands Taxi, Miles City, Montana, PSC No. 417, filed a rate increase application.

Commissioner Molnar moved to approve the rate increase as applied for. Commissioner Raney seconded the motion, which passed unanimously.

(173) In the matter of TN2392-Transsystems, Inc., Great Falls, Montana requests that PSC No. 2443 be cancelled effective immediately.

Commissioner Raney moved to cancel PSC No. 2443 as requested by the certificate holder. Commissioner Toole seconded the motion, which passed unanimously.

(174) In the matter of TN2393-Brian David Parks dba Mountain Express Taxi, Missoula, Montana requests permission to suspend PSC No. 9460 for a final period, May 30, 2008 to August 30, 2008.

Commissioner Mood moved to approve final suspension of PSC No. 9460. Commissioner Toole seconded the motion, which passed unanimously.

(175) In the matter of the approval of Commission Minutes for the week of May 12, 2008;

Commissioner Toole moved to approve the Commission Minutes for the week of May 12, 2008. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

(176) In the matter of the Commission's discussion of N2008.5.47-Southern Montana Telephone Co. Petition for issuance of a protective order to protect compensation to top ten highest paid

employees based in Montana;

Commissioner Toole moved to grant the Protective Order, with the exception of the CEO salary information. Commissioner Raney seconded the motion, which failed 4-1. Commissioner Toole voted yes.

Commissioner Raney moved to grant the protective order requested in the annual report to protect the salary information of Schedules 27 and 28 of the annual report of Southern Montana Telephone Co. Commissioner Toole seconded the motion, which passed 4-1. Commissioner Toole voted no.

(177) In the matter of the Commission's discussion of N2008.5.46-Qwest Corporation Petition for Protective Order to protect (a) Annual Report schedule 23 (detailed compilation of number of customers purchasing the major types of service in wire center, and (b) Schedule 27 (top 10 Montana-based employees compensation).

Commissioner Toole moved to grant the protective order for Annual Report Schedule 23, with the exception of the top management official's salary information. Commissioner Raney seconded the motion, which failed 4-1. Commissioner Toole voted yes.

Commissioner Raney moved to grant the request for protective order in schedule 23 and 27, limited to the information in the annual report and not extended to any other proceeding automatically. Commissioner Mood seconded the motion, which passed 4-1. Commissioner Toole voted no.

APPEARANCE

Al Brogan, Legal Division

(178) In the matter of the Commission's discussion of D2007.7.82-NorthWestern Energy's Application for approval for Authority to Establish Increased Natural Gas and Electric Delivery Service Rates;

Commissioner Toole moved to grant NorthWestern's motions for a protective order covering software models consisting of a number of confidential calculations, methods, and procedures that develop and quantify marginal costs for NorthWestern Energy's electric and natural gas operations. Commissioner Molnar seconded the motion, which passed unanimously.

(179) In the matter of the Commission's discussion of D2008.3.27-Energy West Incorporated/Cut Bank Gas Company. In the matter of the Joint Application of Energy West Inc. and Cut Bank Gas Company for approval of the Acquisition of Cut Bank Gas Company by Energy West Incorporated;

Commissioner Raney moved to overrule Energy West's objections and grant Ranck Oil's motion to compel for Data Requests 004(c), and (d), and 014(a), and to sustain Energy West's objections and deny Ranck Oil's motion to compel for Data Requests 001(b), (c) and (d); 004(a) and (b); 005, 007, 010(b); 011(c), 012, 014(b) and (c), 021(d) and (e); and 026(b), (c), and (d). Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division
Kate Whitney, Administrator
Utility Division
David De Gil, Centralized Services

(180) In the matter of the Commission's discussion of Agency Budget Discussion use of FY 2008 consultant budget, consider an additional 2009 legislative EPP request for software upgrade;

Commissioner Raney moved to submit the request for a software upgrade as and EPP request if needed, and if able to accommodate it in this years or next fiscal's years budget, then the EPP request would be withdrawn. Commissioner Toole seconded the motion, which passed unanimously.

(181) In the matter of the Commission's discussion of 2009 Proposed Legislation;

Commissioner Raney moved to adopt proposal #2 for the \$50,000 consultant budget to be used for the ITS maintenance and upgrade. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division
Kate Whitney, Administrator
Utility Division

(182) In the matter of the Commission's discussion of Proposed Legislation;

Commissioner Raney moved to direct staff to begin work to transfer collection of tow truck insurance information. Commissioner Toole seconded the motion, which passed unanimously.

Commissioner Raney moved to direct staff to draft a bill to amend or repeal the Commission Secretary statute. Commissioner Mood seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GREG JERGSON, Chairman

DOUG MOOD, Vice Chairman

BRAD MOLNAR, Commissioner

ROBERT H. RANEY, Commissioner

KEN TOOLE, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, May 22, 2008, the following members were present:

Greg Jergeson, Chairman - via telephone
Doug Mood, Vice Chairman
Brad Molnar, Commissioner – via telephone
Ken Toole, Commissioner

Commissioner Robert H. Raney was absent but gave his proxy to Commissioner Toole.

APPEARANCE

Will Rosquist, Utility Division

(183) In the matter of the Commission's discussion of D2008.5.48 – United Materials of Great Falls/Exergy Development Group – petition to have PSC set terms and conditions of a QF contract with Northwestern Energy;

Commissioner Jergeson moved to grant the interim order in this docket in accordance with staff recommendations that the price for the energy is based on the calculations for option two rate, and the deduction for interim integration charges be based on the methodology used in the spread sheet. Commissioner Toole seconded the motion, which passed 3 to 2. Commissioner Mood and Commissioner Molnar voted no.

There being no further business to come before the Commission the meeting was adjourned.

GREG JERGSON, Chairman

DOUG MOOD, Vice Chairman

BRAD MOLNAR, Commissioner

ROBERT H. RANEY, Commissioner

KEN TOOLE, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)